

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Southwest Resource Management Association
4500 Glenwood Dr.
Riverside, CA 92501
Attn: Shelli Lamb

Space Above Line for Recorder's Use Only

**CONSERVATION EASEMENT DEED
Petersen Ranch Mitigation Bank Area F**

THIS CONSERVATION EASEMENT DEED ("Conservation Easement") is made as of the _____ day of _____, 20____, by **LV Lake Elizabeth, LLC**, in favor of Southwest Resource Management Association ("SRMA") ("Grantee"), with reference to the following facts:

RECITALS

A. Grantor is the sole owner in fee simple of certain real property containing approximately 154.2 acres and located in unincorporated Leona Valley in the County of Los Angeles, State of California, and designated Assessor's Parcel Number(s):

3235-008-002, 3235-006-002, 3235-008-001, 3235-006-001, 3235-008-017,
3235-008-003.

The Real Property is legally described on **Exhibit "A"** attached hereto and incorporated by this reference. Grantor intends to grant a conservation easement over a 154.2-acre portion of the Elizabeth Lake Bank Property Area F (the "Property"). The Property is legally described and depicted on **Exhibit "B"** attached hereto and incorporated by this reference.

B. The Property possesses wildlife and habitat values of great importance to Grantee, the people of the State of California and the people of the United States. The Property will provide high quality natural, restored and/or enhanced habitat for Swainson's hawk, a state threatened species, as well as other special-status species; including tricolor blackbird, burrowing owl, and coast horned lizard and restored, established, re-established, rehabilitated, enhanced and/or preserved jurisdictional waters of the United States and Waters of the State. Individually and collectively, these wildlife and habitat values comprise the "Conservation Values" of the Property.

C. The California Department of Fish and Wildlife ("CDFW") has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and the habitat necessary for biologically sustainable populations of these species pursuant to California Fish and Game Code Section 1802.

D. The U.S. Environmental Protection Agency ("USEPA") and U.S. Army Corps of Engineers ("USACE") have jurisdiction over waters of the United States pursuant to the federal Clean Water Act, 33 U.S.C. Section 1251, *et seq.*

E. The Regional Water Quality Control Boards ("RWQCB") have jurisdiction over waters of the state of California pursuant to the Porter-Cologne Water Quality Control Act, Water Code Section 13000 *et seq.* Waters of the state include any surface water or groundwater, including saline waters, within the boundaries of the state.

F. Grantee is authorized to hold this Conservation Easement pursuant to California Civil Code Section 815.3 and Government Code Section 65967. Specifically, Grantee is (i) a tax-exempt nonprofit organization qualified under Section 501(c) (3) of the Internal Revenue Code of 1986, as amended, and qualified to do business in California which has as its primary purpose the protection, preservation, and enhancement of lands in its natural, scenic, agricultural, forested, or open space condition or use.

G. This Conservation Easement is granted pursuant to the Bank Enabling Instrument (the "BEI"), by and between Land Veritas Corp., LV Lake Elizabeth, LLC, CDFW South Coast Region (Tracking No. 1798-2013-04-R5), the Los Angeles District of USACE, (USACE File No. SPL-2012-00669), U.S. Environmental Protection Agency Region IX ("EPA") and the Lahontan Regional Water Quality Control Board ("Lahontan RWQCB"), and the Bank Development Plan (the "Development Plan"), and the Interim Management Plan and Long-Term Management Plan created under the BEI. CDFW, USACE, USEPA, and, as applicable, the Lahontan RWQCB are together referred to in this Conservation Easement as the "Interagency Review Team (IRT)".

A final, approved copy of the BEI, Development Plan, the Interim Management Plan, and Long-term Management Plan, and any amendments thereto approved by the Signatory Agencies, shall be kept on file at the respective offices of the Signatory Agencies. If Grantor, or any successor or assign, requires an official copy of the BEI, the Development Plan, the Interim Management Plan, and Long-term Management Plan, it should request a copy from one of the Signatory Agencies at its address for notices listed in Section 12 of this Conservation Easement.

The BEI, the Development Plan, the Interim Management Plan, and Long-term Management Plan shall be incorporated by this reference into this Conservation Easement as if fully set forth herein.

H. All section numbers referred to in this Conservation Easement are references to sections within this Conservation Easement, unless otherwise indicated.

COVENANTS, TERMS, CONDITIONS AND RESTRICTIONS

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and pursuant to the laws of the United States and the State of California, including California Civil Code Section 815, *et seq.*, Grantor hereby voluntarily grants and conveys to Grantee a conservation easement in perpetuity over the Property.

1. Purposes.

The purposes of this Conservation Easement are to ensure that the Property will